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10/761,777	01/21/2004	Arturo A. Rodriguez	A-8149	3529

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EXAMINER	
BELOUSOV, ANDREY	
ART UNIT	PAPER NUMBER
2174	

NOTIFICATION DATE	DELIVERY MODE
12/19/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOmail@sciatl.com

Office Action Summary	Application No.	Applicant(s)	
	10/761,777	RODRIGUEZ ET AL.	
	Examiner	Art Unit	
	ANDREY BELOUSOV	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 May 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-41 and 43-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-41 and 43-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the filing of 5/7/2008. Claims 49-52 have been withdrawn in response to election/restriction requirement. Claims 1-5, 7-41, and 43-48 are pending and have been considered below.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 7-12, 14-17, 20-24, 26-28, 30-37, 39-40 and 43-48 are rejected under 35 U.S.C. 102(b) as being anticipated by ATI (ATI Multimedia Center 7.9, User's Guide, Copyright (c) 2002, ATI Technologies Inc.)

Claim 1, 26: ATI discloses a method for determining the characteristics of a display device coupled to a network client device (computer, page 4-5) capable of receiving television (TV) signals, the network client device having video (page 4) and audio output (page 12) capabilities, said method comprising the steps of:

a. driving a display device (monitor, page 4, 83) with a first video output signal (VGA signal from the ATI video card to the monitor, page 87) formatted according to a first video interface specification (page 87, VGA spec);

b. responsive to driving the display device, soliciting user input based on information included in the first video output signal (page 8);
c. determining (adjusting, page 8, 9) a characteristic (e.g. video size, color, contrast, brightness, tint; pages 8-10) of the display device based on the user input;
d. receiving a TV signal (page 4) at a network client device (computer, page 4),
e. processing the TV signal by the network client (computer, page 4) according to the determined characteristic (as Multimedia Center is a software suite for viewing TV on a computer, the availability of characteristics for modification on page 8, reveal that such changes would be inherently processed before display through the ATI video cards (part of the computer) on the monitor), and
f. transmitting a video output signal (VGA, page 87, from the ATI video card) according to the first video interface specification (VGA spec, page 87) and according to at least one parameter of the TV signal (aspect ratio, video size, etc., page 8) to the display device.

Claim 2, 27: ATI discloses the method and system of claims 1 and 26 wherein the characteristic includes at least one of a type of display device, picture size, frame rate, scan format, color format, colorimetry, picture width-to-height aspect ratio, width-to-height aspect ratio of pixels, and capability and manner of receiving ancillary data (page 8-10.)

Claim 3, 28: ATI discloses the method and system of claims 1 and 26, wherein the display device includes at least one of a television set and a display monitor (page 4, 83).

Claim 5, 30: ATI discloses the method and system of claims 1 and 26, wherein the step of driving a display device with a first video output signal includes the step of transmitting at least one of graphics data and video data (page 4.)

Claim 31: ATI discloses the system of claim 26, wherein the processor is further configured with the logic to receive a TV signal from a network (page 4, "125 cable television channels, and 70 antenna channels"), processing the TV signal, and effect the transmittal of a video output signal according to the first video interface specification, and according to at least one parameter of the TV signal.

Claim 7, 32: ATI discloses the method and system of claims 1 and 26, wherein the transmitted video output signal is delivered through a video port in the network client device, the video port preset according to the first video interface specification (VGA interface, page 87) and according to at least one parameter of the TV signal (page 87: VGA port.)

Claim 8, 33: ATI discloses the method and system of claims 1 and 26, wherein the step of soliciting includes the step of presenting at least one of visible instructions and audible instructions to the user (page 7: control panel.)

Claim 9, 34: ATI discloses the method and system of claims 1 and 26, wherein the step of determining includes the step of determining what are optimal signal parameters to send to the display device (page 15, automatic resizing.)

Claim 10, 35: ATI discloses the method and system of claims 1 and 26, wherein the step of determining includes the step of determining at least one of how to drive the display device such that a legible, distorted picture is presented and what are optimal signal parameters to send to the display device (page 15, automatic resizing.)

Claim 11, 36: ATI discloses the method and system of claims 1 and 26, further including the step of driving the display device according to a second video format, wherein the step of driving the display device according to a second video format is at least one of a result of an automatic cycling after a defined threshold period of time of receiving no user input and a result of user input (page 8-10.)

Claim 12, 37: ATI discloses the method and system of claims 11 and 36, wherein the step of driving the display device according to a second video format includes the step

of driving the display device through an output port used to drive the display device according to the first video format (page 87, VGA port.)

Claim 13, 38: ATI discloses the method and system of claims 11 and 36 wherein the step of driving the display device according to a second video format includes the step of driving the display device through an output port different than the output port used to drive the display device according to the first video format (Connector, page 10.)

Claim 14: ATI discloses the method of claim 1, wherein the display device is physically connected to a network client device (page 87, it is inherent that a VGA cable would be used to connect to the VGA port.)

Claim 15: ATI discloses the method of claim 1, wherein the display device is in wireless communication with a network client device (REMOTE WONDER, page 3.)

Claim 39: ATI discloses the system of claim 26, wherein the processor is further configured with the logic to effect communication with the display device through at least one of a wireless connection and a physical connection (page 87, it is inherent that a VGA cable would be used to connect to the VGA port.)

Claim 16: ATI discloses the method of claim 1, further including the step of receiving a request for discovery of the characteristic (page 8, accessing TV setup page.)

Claim 17: ATI discloses the method of claim 16, wherein the step of receiving a request includes the step of receiving a signal corresponding to the activation of a button on a remote control device (page 3, REMOTE WONDER.)

Claim 18: ATI discloses the method of claim 1, further including the step of receiving a request for cycling through at least one of a different video format and a different output port (page 7, toggling between full screen and current size.)

Claim 19: ATI discloses the method of claim 18, wherein the step of receiving a request includes the step of receiving a signal corresponding to the activation of a button on a remote control device (page 3, REMOTE WONDER.)

Claim 40: ATI discloses the system of claim 26, further including a remote control device configured with a button that, responsive to activation of the button, cooperates with the logic to initiate discovery of characteristics of the device (page 3, REMOTE WONDER.)

Claim 20: ATI discloses the method of claim 1, further including the step of driving the display device according to at least one of the determined characteristic (e.g. certain aspect ratio, contrast, brightness, etc., page 8-10) and a plurality of determined characteristics (e.g. certain aspect ratio, contrast, brightness, etc., page 8-10) to present

content (TV, page 4) on a display screen of the display device, wherein the step of driving the display device is further according to at least one parameter of the TV signal (aspect ratio, video size, etc., page 8.)

Claim 21, 43: ATI discloses the method and system of claims 20 and 26, further including the step of receiving stored pictures from a storage device to process and present on the display screen of the display device (page 9, 52.)

Claim 22, 44: ATI discloses the method and system of claims 21 and 43, wherein the pictures include at least one of distorted objects, non-distorted objects, distorted images, non-distorted images, visual information, and a graphical characteristic to provide an indication of the characteristic of the display device (page 9, 52).

Claim 45: ATI discloses the system of claim 43, wherein the processor is further configured with the logic, and in cooperation with the media engine and the output system, to distort at least one of objects and video images (page 9, cropping) and leave undistorted at least one of objects and video images (page 8, 9, displaying.)

Claim 23, 46: ATI discloses the method and system of claims 1 and 43, wherein the step of determining a characteristic of the display device further includes the step of determining how a user has configured the display device to display a TV signal of a defined aspect ratio on the display device, the display device having at least one of the

same physical aspect ratio and a different aspect ratio as the defined aspect ratio of the TV signal (page 7-9). The examiner notes that it is inherent that the TV signal has a defined aspect ratio and that it is different or same as the physical aspect ratio of the display device.

Claim 24, 47: ATI discloses the method and system of claims 1 and 26, wherein the user input includes user preferences (page 7-9, it is inherent that the user would modify the settings according to his or her preferences.)

Claim 48: ATI discloses the system of claim 26, wherein the system is embodied in a network client device in communication with the display device (page 4.)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over ATI in view of Krane (5,799,063.)

Claim 4, 29: ATI discloses the method and system of claims 1 and 26. However, ATI does not explicitly disclose further including the step of transmitting an audio output

signal containing audible voice instructions to the user contemporaneously with driving the display device with the first video output signal. Kramer teaches a system and a method wherein voice instructions transmitted to the user (2:31-41.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize voice instructions as taught in Kramer, to the user in the method and system of ATI. One would have been motivated to provide voice instructions over the audio capable system disclosed in ATI (page 54), so as to accommodate persons with poor eyesight (Krane 2:15-18.)

5. Claims 25 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over ATI in view of Rzeszewski et al. (U.S. Patent No. 5,512,958.)

Claim 25: ATI discloses a method for determining the characteristics of a display device coupled to a network client device, said method comprising the steps of:

a. outputting a video signal including pictures (page 4) for each part of the cycle, wherein the pictures include at least one of graphics data and video data (page 4);
b. processing the pictures for each video format for output to a display device (page 4, as Multimedia Center is a software suite for viewing TV on a computer, the availability of characteristics for modification on page 8, reveal that such changes would be inherently processed before display through the ATI video cards (part of the computer) on the monitor);

c. setting parameters of a video output port according to each video format (page 8-10);

d. soliciting a user response for each video format, wherein the step of soliciting includes the step of presenting at least one of visible instructions and audible instructions to the user (page 8-10);

e. determining at least one characteristic of the display device based on the user response, wherein the characteristic includes at least one of type of device, picture size, frame rate, scan format, color format, colorimetry, picture width-to-height aspect ratio, width-to-height aspect ratio of pixels, capability of providing ancillary data, manner of providing the ancillary data (page 8-10); and

f. driving the display device according to at least one parameter (aspect ratio, video size, etc., page 8) of a received TV signal processed by the network client device according to the determined characteristic to present images on a display screen (page 4, as Multimedia Center is a software suite for viewing TV on a computer, the availability of characteristics for modification on page 8, reveal that such changes would be inherently processed before display through the ATI video cards (part of the computer) on the monitor.)

However, ATI does not explicitly disclose:

g. cycling through a plurality of video formats, each part of the cycle including a predetermined time duration

Rzeszewski discloses a similar system for television display modification allowing the user to cycle through a plurality of video formats, each part of the cycle including a

predetermined time duration (5:64-67.) Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to cycle through a plurality of video formats, each part of the cycle including a predetermined time duration, as taught in Rzeszewski, to the disclosure of ATI. One would have been motivated to cycle through a plurality of video formats, each part of the cycle including a predetermined time duration so as to accommodate a user who may not be knowledgeable about the particular format or port necessary to allow best display (5:58-67) without having to particularly point out a particular port or video format.

Claim 41: ATI discloses the system of claim 26, further including a remote control device (page 3, REMOTE WONDER) configured with a button that, responsive to activation of the button, cooperates with the logic. However, ATI does not explicitly disclose wherein the function of that button is to cycle through at least one of a plurality of formats and a plurality of video ports. Rzeszewski discloses a similar system for television display modification allowing the user to cycle through a plurality of options (different video formats) and choose the appropriate one (5:58-67.) Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to allow to cycle through at least one of different video format and a different output port, as taught by Rzeszewski, by activation of a button on a remote control, as in ATI. One would have been motivated to allow the user to cycle through at least one of different video format and a different output port through a use of a button on a remote control so as to have all functions pertaining to a display device on a single control

mechanism, and to accommodate a user who may not be knowledgeable about the particular format or port necessary to allow best display (5:58-67) without having to particularly point out a particular port or video format.

Response to Arguments

6. Applicant's arguments with respect to claim 1-5, 7-41, and 43-48 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB

/Steven P Sax/
Primary Examiner, Art Unit 2174

12/15/2008